THE

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We draw attention to an interesting article printed elsewhere on "Marriage in the Marumakkathayam system" by Mr. Gopala Menon. An article on the same subject has appeared in the Calcutta Weekly Notes recently. And there seems to be an amount of public opinion, among the educated sons of Malabar, that a grave injustice has been done by the Courts in refusing to recognise the validity of sambandham unions which are so prevalent in Malabar. We agree with Mr. Gopala Menon that legal recognition must be accorded to an ancient and well-established system of marriage, however different it may be, from other systems, in form, and in some of its incidents. We trust that this subject will receive the attention that it deserves at the hands of the courts and the legislature.

V. VENKATESWARA SASTRI v. EMPEROR. [1911] 2 M. W. N., p. 50.

We have doubts about the correctness of the conclusion arrived at by the learned Judges in this case. Their Lordships Ayling and Spencer, JJ., hold that the Court of the Chief Presidency Magistrate and those of other Presidency Magistrates are Courts of equal jurisdiction within the meaning of Section 526, Criminal Procedure Code and that consequently a case on the file of the Chief Presidency Magistrate can be transferred to that of any other Presidency Magistrate. The determination of the question really turns upon the definition of the word *jurisdiction* as their Lordships put it. "Jurisdiction is the authority or power which a man hath to do justice in causes of complaint brought before him. It is the power of hearing and determining causes and doing justice in matters of complaint" (see Vol. 24 American Cyclopedia of Law and Procedure, Page 375). This definition accords with the definition quoted by their Lordships in their Judgment. Their Lordships observed that the Chief Presidency Magistrate and other Magistrates are empowered to dispose of the same class of cases and therefore concluded that the two are of equal jurisdiction. Equal jurisdiction is in our opinion synonymous with co-ordinate Jurisdiction which is defined by Mr. Black as "that which is possessed by courts of equal rank, degree, or authority equally competent to deal with the matter in question." We may here point out at least one class of offences which the Chief Presidency Magistrate alone and not the other Presidency Magistrates can try. It is offences under section 124 A, I.P.C. for sedition, which are triable by the 8th Column of the 2nd Schedule of the Criminal Procedure Code either by the Court of Session, the Chief Presidency Magistrate or the District Magistrate, or a Magistrate of the first class specially empowered by the Local Government in that behalf. We may also point out that, it is only the Chief Presidency Magistrate that can issue orders under section 144, Criminal Procedure Code and not the other Presidency Magistrates unless they are

specially empowerd by the Local Government or the Chief Presidency Magistrate. In cases in which the other Presidency Magistrates are so empowered the Chief Presidency Magistrate is competent under sub section (4) of section 144, Criminal Procedure Code to rescind or alter any order made by the other Presidency Magistrates. These two instances are sufficient in our opinion to show that the court of the Chief Presidency Magistrate is not a court of equal Jurisdiction with those of the other Presidency Magistrates.

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THE SPECIAL MARRIAGE ACT AMENDMENT BILL.

Since the passing of the Age of Consent Act, no legislative proposal has so deeply stirred the Hindu subjects of the Indian Empire as the bill to amend Act III of 1872, introduced into the Viceroy's Legislative Council by the Hon'ble Mr. Bupendranath Basu. Never was public opinion among the educated Hindus so sharply divided as over this bill at present. It is as vehemently supported by one section of them, as it is violently denounced by the other. On the one hand it is described as a merely permissive enactment, intended to remove some disabilities which the Act, as it stands, imposes on those who wish to contract a marriage under it. On the other hand it is denounced as a revolutionary measure, as a 'Dynamite Cartridge' shoved into the Hindu society, under the guise of a simple amendment. We propose to deal with the bill briefly under three heads:—(1) what the Bill seeks to do ; (2) the grounds of opposition to it ; (3) and the validity of those grounds.

The Special Marriage Act III of 1872 is intented to provide a form of marriage for persons who do not profess the Christian, Jewish, Hindu, Parsi, Buddhist, Sikh or Jain religion and legalises certain marriages the validity of which was doubtful. The Act was originally passed on the agitation of a section of educated Indians known as the Brahmos. There was great difficulty at that time in defining who a Brahmo was. They could only be defined in the negative way contained in the preamble and in section 2 and section 10 proceeded to lay down a declaration to that effect as obligatory. Now this declaration or as it is called the negation of faith in these world religions is felt to be a hardship not only by those for whose benefit the Act was originally passed but also by a growing section of the Hindus themselves who desire to contract civil marriages but whose marriages were not within the contemplation of the legislature at that period. With the object of removing this hardship and of legalising beyond the possibility of doubt or dispute intermarriages between members of different sub-castes or even of different castes Mr. Basu proposes in this Bill to delete the words beginning with "Who do not profess...Jain religion" in the preamble to Act III of 1872 and in section 2 thereof. That Mr. Basu was actuated solely by high patriotic motives in framing this bill, is apparent from the admirable speech he delivered in support of it, when he moved for leave to introduce it. The result will be that if this bill is passed into law, any one may marry any one else ; *i.e.*, a Hindu may marry a Moslem, a Moslem may marry a Parsi ; a Parsi may marry a Budhist and so on. Such marriages however desirable, in the opinion of some, in the interests of Indian nationality, will give rise to immense legal difficulties. *E. g.*, What should be the law governing the

offspring of the union of a Hindu with a Moslem ? Further, the leaders of the other great communities, the Moslems and the Parsis, while expressing sympathy with the objects of the bill, have declared that there is no desire or necessity for such a change in their marriage law. Therefore Mr. Basu has expressed his willingness to confine the operation of his Bill to the Hindus. And we shall therefore assume that the Bill only relates to the Hindus and proceed to consider in the next issue the grounds of opposition to it and their validity.

HINDU LAW BOOKS ON INHERITANCE: A TRANSLATION.*

This book, which covers more than a thousand pages, contains all the important texts, seventeen in number, recognised as authorities in the different schools of Hindu Law. Of these the majority are *Nibandhas*, or special treatises ; and the rest are commentaries on ancient works. No doubt several of them have already appeared in an English garb. But with the exception of a few these translations are neither full nor accurate. So far as we could see, the present volume is not open to any such reproach. Its distinctive merit, however, lies in the fact that "it will enable the profession to compare what writers of different schools have to say on a given point, so as to gather without difficulty all light to be found in the works which are authorities in different schools and focus them on points under consideration. The book also contains three short appendicies, dealing with texts on sapindaship, order of persons bound to perform funeral rites of the deceased, and impurity. We are sure that the book will be welcomed and appreciated by the profession.

We shall not be doing justice to the book if we do not refer to the short and learned introduction which Mr. Setlur has contributed to it. Rightly premising that "as all things Indian, the Hindu Jurisprudence has also suffered much from ignorrance and prejudice," Mr. Setlur has attempted to remove some of the current misconceptions with regard to the nature of Hindu law. In his opinion they were largely due to the entire dissimilarity between the social and legal systems of the West, as represented by Rome and of the East as represented by India. "What Rome was to Europe and the West, India is, or at least was, to Asia and the East." And comparing the two systems, he makes the following pregnant observations :—"If Romans built up their legal system on the conception of right, Hindus founded their own on that of duty. In Europe the higher a man in the social scale, the fewer are the restraints on his liberty of action ; among the Hindus the higher is a man's caste, the greater and more onerous are his duties. And Hindu Law being the expression of the legal consciousness of such a society, it must necessarily possess peculiarities repugnant to a civilisation proud of its dogma of *Laissez Faire*."

Then Mr. Setlur gives an interesting account of the historical origin of the different schools of Hindu Law and shows how the treatises of the different schools only recognised and embodied the existing practices of the time. Mr. Setlur then emphasises the wisdom of the rule laid down by the Privy

* A complete collection of Hindu Law books on Inheritance translated into English with an introduction by Mr. S. S. Setlur, B.A., LL. B., Advocate, published by Messrs. V. Kalyanarama Iyer & Co.

Council in the Shivaganga case, and reaffirmed by Mookerjee, J. in 37 Cal. 867, that "the duty of a Judge administering Hindu Law is not so much to enquire whether a doctrine which is disputed is fairly deducible from the earliest authorities, as to ascertain whether it is one that has been received by the particular school of Hindu Law which governs the litigant parties ;" but regrets that even the Privy Council sometimes forget this principle and have in fact done so in a case relating to the succession to Stridhan reported in 30 Bom. 431 and have 'set back the hand of clock' by not accepting the view of the Mitakshara and Mayukha.

Mr. Setlur then raises the vexed question of the expediency of "Judicial Legislation," and is of opinion that the mantle of the Nibandhakāras has now fallen on the shoulders of the modern Judges. "The modern Judge" he says "must ascertain the view, the digest writers presumably would have taken, if the given question had been put to them" ; and he disapproves of the "new fashion of having recourse to original Sanskrit authorities." According to him "to have recourse to Sanskrit works indiscriminately without confining the attention to particular books of authority, and to embark on interpretations even of those texts without scrupulous regard to the legal exigencies of modern times" leads to disastrous results. To illustrate this tendency and its dangers, Mr. Setlur has referred at great length to two cases dealing with the question of the right of the manager of a Hindu family to burden the family property with a debt incurred for the expenses of a marriage of a male co-parcener. Our readers are aware that in *Devalapalli Kameswara Sastry's case* [1910] M.W.N. 649, Krishnaswamy Iyer, J. citing with approval Justice Chandavarkar's decision in 32 Bom. has held in favour of such a right, in a very learned judgment, citing all the ancient texts. We have reviewed the case on its merits at length in our Journal for 1910 at p. 163. Mr. Setlur convasses the correctness of the two decisions and the reasons given therefor with great ability and he may be right in his interpretation of the texts which seem to show that marriage is not a compulsory Samskara for a male coparcener. But when he goes on to say that overmarriage in the worst of the evils in Hindu Society and that unless the letter of the law makes it impossible to do so, it should be so interpreted as to discourage overmarriage we beg leave to differ from him. What the learned critic means by "overmarriage" is certainly not clear. If he thereby intends to condemn the practice of taking more wives than one at the same time, or the custom of the old people marrying a third or fourth time, or of very young boys being married to still younger girls we are perfectly at one with him and we have no doubt but that the Courts will refuse to hold that the expenses of such improper marriages are not a valid charge on the family property. But in a country like India, where ready money is scarce, and every ceremony of any importance is generally performed with the aid of money borrowed on the credit of the family property, to lay down, that the expenses of the marriage of a coparcener, however proper and unobjectionable it may be, will under no circumstances be valid charge, will lead to considera' hardship. In a case in 32 All. 575 the Lordships of the Allahabad High Court held that the expenses of a second mar-

riage where the man was aged 28 years and had a son 9 years old was a lawful family necessity. In the course of the judgment it was observed. "It is the natural condition of every adult member of a joint Hindu family that he should be married" and "Bearing in mind that the form of marriage (*Asura*) is quite common, we cannot hold that the money which was raised was not part of the expenses of a legal marriage". We have therefore no hesitation in saying that Mr. Setlur was not quite happy in the example which he has selected to illustrate the tendency of our Judges to "interpret authorities too literally" without adapting them to modern conditions. With this reservation we entirely agree in all that Mr. Setlur has said, and said so well, and commend his introduction to the notice not only of the profession but of all who are concerned with the administration of justice in this country.

MARRIAGE IN THE MARUMAKKATHAYAM SYSTEM

It has been supposed, that the "Marumakkathayam system is destitute of the institution of marriage"(1). Christian and Hindu Writers have very often refused to regard "Sambandham" as a form of union between the sexes, capable of being recognised by Courts of Law. And yet, among the Marumakkathyam people, "*Sambandham*" is the principal Malayalam word for marriage, as '*vivaham*' is in Sanskrit. Whatever may be the basis of the Sambandhams of Marumakkathayam there can be no doubt that the idea which the word conveys to a Malayalee is the same as the word "Vivaham"(2). By Sambandham—union among Marumakkathayam the intention to create "The relation of man and wife is recognised by society common to them all, and the couple that go through those forms are afterwards known as husband and wife"(3) Almost the whole of the Marumakkathayam people enter into this form of union, solemnise it by customary public ceremonials (4), call it, understand and recognise it among themselves as lawful marriage, much in the same way as marital unions are known and recognised amongst the Christians or Hindus. The parties to the contract of Sambandham intend to live as man and wife. They express their intention to enter into the contract by some overt act. The Society to which they belong clothes them with the status that flows from all marital unions, making herein the usual distinction between marriage and concubinage. By Sambandham the Civil Rights of inheritance do not follow, for that would be inconsistent with the Marumakkathayam system, but the Sambandham wife has her place in the Marumakkathayam Tarwad. She lives most often in the Tarwad House of her husband. Custom allows her maintenance out of its funds. The Madras High Court has on the strength of this Custom awarded such maintenance in a case from North Malabar. She has her recognised place in many of the ceremonial functions of the Tarwad. And even after the death of her husband it is deemed respectable usage to give something towards her maintenance in her own family, until she takes another husband.

(1) Malabar Marriage Commission report.

(2) Mr. O. Chandu Menon in his report before the Malabar Marriage Commission.

(3) Malabar Marriage Commission report p. 81.

(4) The form most in vogue is the *Podamuri* form. Mr. Chandu Menon gives a detailed account of it as a Member of the Commission, quoted in Moore's Malabar Law, p. 77.

Enquiry would show, and indeed it has been noted by competent observers that these marital unions are held as much sacred among the Marumakkathayam people as marriage among others ; that though these ties are dissoluble at will by either party they endure in most cases till the very end of their lives ; that respectable families are reared up throughout the land of Kerala under this form of union ; that large properties are gifted by fathers to their children and in fact the wealth of large Marumakkathayam Tarwards had its origin in Puthravakasam funds gifted originally to the children of some remote ancestress.

In the discussion of the subject two causes have principally contributed to cloud the issue:— First, an internal one, being the personal equation in the discussion, the Christian and Hindu Writers having certain ingrained ideas about marriage being a sacrament etc., which ideas they could not free themselves of. Secondly an external one, existing in the history and growth of the Marumakkathayam system.

" Even if however it be granted, that the efforts which we now find are being made in all respectable Tarwards to make Sambandham something very different from the loose customs, generally prevalent up to the commencement of the Nineteenth century, and perhaps even later, did not begin to have any real effect till within comparatively recent years, it appears to be a matter for consideration as to whether the Courts of law are bound to admit that the "*Podamuri*" as now performed is absolutely void of all legal significance whatever, and that the relation between the sambandhakaran and the lady, sanctioned by it, is from a legal point of view nothing more than concubinage" (5). Marriage it has been said, " is such a union between the sexes, as is recognised by the law *or custom* of a people and adopted by it as the basis of typical family relationship established among that people." (6). Marumakkathayam people whether Hindu Nairs or Nambudiris, or Muhammadans, are principally governed by Marumakkathayam Law which is entirely a customary Law. (7). There is no meaning in saying that Marumakkathayam Law is a branch of Hindu Law. The Law of the Dharma Sastras is not as such applicable to the Marumakkathayam people. The Privy Council has observed that there are no sacred writings among the Nairs having the force of legal authority (8). The only question therefore should have been as to the usage among the Marumakkathayam people. Even under Hindu Law clear proof of usage outweighs the written text of Law. The usage of the people concerned, having laid down certain forms and solemnities, a compliance with them shall be sufficient indication of the intention of the parties who enter into the contract (9). " Where therefore the religious and moral consciousness of a community recognises the validity of a certain marriage, it follows that it cannot be discarded on account of its repugnance to any system of Law" (10). " It is of

(5) Moore's Malabar Law p. 88.

(6) Sir Denzil Fitzpatrick in the Journal of the Society of Comparative Legislation, Vol. for 1900, p. 360.

(7) 6. M. H. C. R. p. 194. Besides Nairs there are a few Nambudiri and many Muhammadans who follow Marumakkathayam.

(8) I. L. R. 24 Mad. 73 at p. 80.

(9) See Bannerji on Marriage p. 98.

(10) Justice Sankaran Nair in I.L. R. 33 Mad. at p. 355.

course open to a community to admit any person, and marriage performed between him and any member would in my opinion be valid if it complied with their usage, though it may be opposed to the Dharma Sastras"(11). For the Courts in this country in deciding any question regarding marriage, are bound by statute and by any custom governing the parties (12).

Hence the mere absence of a religious element or the impermanency of the Sambandham union cannot invalidate the usage as a marriage. It is unmeaning to lay much stress upon permanency, in the face of the Christian and the Mahummadan marriages, for once divorce is recognised, what does it matter as a question of abstract principle, whether it is permitted by means of a judicial proceeding as in Christian Marriages, or in the simple form prescribed by Muhammadan Law, and the Marumakkathayam Law. Among the Christians and under the Hindu Law marriage is a sacrament, but a religious element in marriage is not an inseparable essential as is seen from other systems, like the Roman Law or the Scottish Law. In Roman Law (13)" *Connubium* " is a species of consensual contracts constituted *consensus adidem.* In Scottish Law marriage is simply a Civil Contract, instituted by mutual consent of the parties. "Marriage in very early times had not that sacred character which it assumed among the Hindus and Early Christians." (14) "And even in early Hindu Law, the religious ceremony which has since become the marriage itself was intended but to make the marriage more propitious. Even in Hindu Law, "the first gift was the origin of the marital dominion."

It is submitted that in giving effect to the usages of a people, it is out of place to draw *a priori* inferences, in supposed conformity with any system or to confuse issues by references to abandoned or discredited usages among the people. That the Marumakkathayam system shuts out the children from inheritance to the father can by no reason, invalidate marital contracts, amongst them. Already reference has been made to Marumakkathayam Nambudiris and Marumakkathayam Muhummadans. They consecrate their marriages, according to the religious usages though no civil right of inheritance follows in its wake. Can it therefore be held, that such vedic and Muhummadan marriages are not valid? Neither is the fugitive character of sexual relationship until comparatively recent times, nor even individual variations and fluctuations from general usage, are matters pertinent to an enquiry as to the present existing usage. As the Privy Council has laid down in *Abraham* v *Abraham*, (15) surely in things indifferent in themselves, the tribunals which have a discretion and no independant *lex fori* imposed on them should rather proceed on what actually exist, than on what has existed" and in forming their presumptions, have regard to a man's own way of life than to that of his predecessors." "The abandoned usages cannot be treated as still the enduring customs by a sort of fiction, for, "customs as they are adopted voluntarily may be lost by desuetude. Race and blood may be independant but usage is not." Whatever may be the English Law, in India, it is usage as such which the Courts are bound to give

(11) Ibid at p. 354.
(12) Act III of 1873, sec. 16, Cl. (*b*).
(13) Mackenzie's Roman Law p. 120.
(14) Ghose on Hindu Law p. 588.

(15) 9 M. I. A. p. 195 at p. 244.

effect (16). In the language of Sir Raymond West, it must be enforced in its slowly changing phases. It is no answer either to say, that the new ideas, even if existing as a higher and consciously improved usage, are yet unsettled, and fluctuating or that there are sectional variations where primitive conditions still obtain. As a matter of fact, we make bold to say that it is not worse in the Marumakkathayam society, than it is in other parts of the world. Not that there are not still instances of whimsical and capricious exercise of the right of putting an end to the marital tie. That these instances could now be pointed out and are specially referred to and reprobated is itself the index of the higher usage, in the community. When the legal consciousness of the community is unsettled and fluctuating, its nobler may properly be chosen in preference to its baser elements as those which are to predominate" (17). "For over the abandoned usages presides the higher usage of the community from whose approval it must have derived its orginal validity and in opposition to which it cannot subsist". "That higher usage stands to it in the relation of a *Jus Publicum* in a wider sense to *Jus Privatum* and as the community comes to recognise certain principles essential to the common welfare, it will no longer lend its sanction to sectional practices at variance with the principles thus recognised" (18). . . . .

It has been sometimes said that even if Sambandham of a Nambudri with a Nair woman might be viewed by the Marumakkathayam society as a valid union, since Nambudiri Brahmins concert Sambandham union with Nair women it cannot be viewed as a legal union, for it is marriage opposed to Hindu Law and hence invalid in itself. Now, assuming that such unions are invalid, how can it affect the question of Sambandhams in which both parties are Nairs? Again, Nambudiris, though they are governed by Hindu Law the Hindu Law as applicable to them is modified to some extent by (*i*) assimilating portions of what may be called the Territorial Law of Malabar and (*ii*) by retaining some archaic features of the Old Hindu Law which it is supposed they carried with them while they colonised the country, but which have long since fallen into desuetude among others. The validity of Nambudiri-Nair Sambandhams might be based upon both these circumstances. By long established usage the eldest member alone of the Nambudiri Illom enter into Vedic marriages with Nambudiri women. The rest by immemorial usage, sanctioned by old Nambudiri Law-givers, enter into Sambandham with Nair women. That is, to say, they adopted the usage of Sambandham as they adopted the usage of impartible Joint family and many others. Or it might be that by so marrying Nair women, they did not disobey the injunctions of the Smrithis as it was in vogue, at the time they migrated to Malabar. For we know it, that the early Hindu Law-givers sanctioned mixed-marriages. Manu sanctions the marriage of a Brahmin with a Sudra woman. This early institution seems to have since become obsolete in other parts of the country. But the earlier usage retained in one part of the country cannot be bad or invalid especially when it is in consonance with the early Smrithi writers. Further, as long as the Nambudiri has chosen to enter into a

(16) Justice West in 4 Bom. 545 at p. 561.

(17) *Ibid* at p. 553.

(18) Justice West in Ibid at pp. 557 and 558.

form of union between the sexes, which the usage of one of the parties or rather the *Lex Loci*, deems a lawful and valid union of the sexes, giving rise to the status of Man and Wife, it is submitted, it must be viewed, as such even if it be opposed, to any other Law. Nambudiri-Sambandhams though formerly held in high esteem are now very much discredited.

The question is destitute of any direct authority. There are some reported rulings under the Aliya-Santhana Law, (19) which can have no bearing on the question as to what is Marumakkathayam usage. And since these early decisions a long interval of time has elapsed; they can scarcely guide us as to questions of present existing usage. On the other hand the Madras High Court has recognised the Sambamdam wife and her place in her husband's tarwad and that she is entitled to be maintained there (20). This decision was on an appeal from North Malabar and is based on custom. Marumakkathayam usage in that respect is the same everywhere. Justice Moore in his book on Malabar Law refers to a case which came under his notice while he was the Sessions Judge of South Malabar. The Head Assistant Magistrate (an East Coast Brahmin) held that a person who had broken open a house and entered it with a view to carry on, an intrigue with a woman who was living with the prosecutor committed no offence as under the Marumakkathayam Law, there was no legal marriage. The Sessions Judge having some experience of Malabar could not understand this position and referred the Judgment for the opinion of the High Court.(21). In this connection attention may be drawn to a recent Full Bench decision of the Travancore High court in *Narayana Rao* v. *Kunjukutty* and others, decided in 1905. A junior member of a Nambudiri Illom formed in 1047 M. E. a *Podamuri-Sambandham* with K a Nair lady and had by her, 4 sons and a daughter. The union lasted till 1077 when it was dissolved. K and her sons, minors sued for maintenance from G personally and from the Illom properties. The Majority of the Full Bench held that the children were entitled to maintenance at the hands of G personally and out of his assets. Chief Justice Hunt rested the liability of the Nambudiri, on the custom of Travancore under which *Podamuri* was a lawful marriage.

The discussion is not merely an academic one. For, though Sambandham is devoid of the incident of inheritance, there are other important Civil Rights and obligations which flow out of the contract of Sambandham, such as maintenance, guardianship etc., There is yet another important aspect of the usefulness of the discussion. If, in a society,

(19) I Mad. H. C. R. 380; 4 M. H. C. R. 28 and 8 Mad. 353.

(20) 6 Mad. 341.

(21) See the observationis which accompanied the reference. Moore pp. 83 & 84.

there is any customary marital institution, any intended legislation to help social progress, must be founded on what exists. Then alone would it enlist the sympathies of the people. A failure to appreciate this, has led to the loss of much public time and money, which resulted in the Malabar Marriage Act.

Gopala Menon.

REVIEW.

"*Hindu Law as interpreted by the Judges in India and the Privy Council*" *Volume I*:—*By C. S. Ramakrishna, B.A., B.L., Pleader, Coimbatore.*

This book has been described by the author himself in the preface as "an attempt to place before the busy lawyer and the eager student the essential principles of Hindu Law as they have been interpreted by the Judges in India and the Privy Council," and does not lay claim to any originality. The author has well succeeded in this attempt of his. A book of this kind hardly needs an apology. Notwithstanding the monumental works of Messrs. Mayne, Ghose, and Sarkar, the profession has for some time felt the want of a book in which the busy practitioner can readily get at all the latest cases on the subject. Mr. Ramakrishna has now supplied this want ; and he has done well to incorporate in his book not only the cases reported in the authorised series but also all cases found in the numerous non-official legal journals throughout the country. A glance at the long list of Reports digested in this volume will convince any one that the author does not utter an idle boast when he says in the preface that "no pains have been spared to make the book useful to the Bar, the Bench, and the Student Community." For the benefit of the law students in particular, the author has adopted the plan of dividing every chapter into two portions, the first dealing with general principles and the second with case law. As far as we could test them, we have found the references both full and accurate.

This volume which covers about 400 pages, deals with the topics of marriage, adoption, joint family debts, and maintenance. And we can assure the author that the publication of the second volume will be awaited with interest.